

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LEONARD LABADIE,

Plaintiff,

-vs-

Case No. 1:07-cv-480

IONIA COUNTY SHERIFF DWAIN
DENNIS, et al.,

Hon. Joseph G. Scoville

Defendants.

DISCOVERY ORDER

In accordance with the Memorandum Opinion filed this date:

IT IS ORDERED that Defendant Poff's Motion to Compel Disclosures and Discovery
(Docket No. 56) is hereby GRANTED IN PART and DENIED IN PART, as follows:

- A. No later than **January 12, 2009**, plaintiff must serve sworn answers to Defendant Poff's First Set of Interrogatories. All objections are deemed waived.
- B. No later than **January 12, 2009**, plaintiff must serve an amended disclosure under Rule 26(a)(1). The amended disclosures must identify by name, address, and telephone number (if known) each individual likely to have discoverable information whom plaintiff may call in his case in chief. Plaintiff must also identify the subjects of discoverable information believed to be known by each witness.
- C. No later than **January 12, 2009**, plaintiff must serve a proper disclosure under Rule 26(a)(2)(A), identifying by name, address, and area of expertise all testifying experts. For any such expert retained or specially employed to provide expert testimony, plaintiff must serve a report complying with Rule 26(a)(2)(B) no later than January 26, 2009. No report is required for treating physicians whose testimony falls within the scope of their course of treatment.

- D. No later than **January 26, 2009**, plaintiff must provide for inspection and copying all medical records from Dr. Ghadai, Dr. Atto, Ionia County Memorial Hospital, Henry Ford Hospital, Life EMS, and St. Mary's Pharmacy.

IT IS FURTHER ORDERED that sanctions in the amount of Five Hundred Dollars (\$500) are awarded against plaintiff and in favor of Defendant Kris Poff, payable no later than January 12, 2009.

Plaintiff is warned that any violation of this order or failure to abide by the discovery and disclosure obligations imposed by the Federal Rules may result in more severe sanctions, including any of the sanctions listed in Rule 37(b).

Dated: December 23, 2008

/s/ Joseph G. Scoville

Joseph G. Scoville

United States Magistrate Judge